

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ALBERT BAKER, JR., # 140789X,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv1103-D
	)	(WO)
GRANTT CULLIVER, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On November 23, 2005, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon CONSIDERATION of the Recommendation of the Magistrate Judge, it is ORDERED as follows:

1. The 28 U.S.C. § 2254 petition for habeas corpus relief filed by Petitioner Albert Baker, Jr., on November 17, 2005 be and the same is hereby DENIED; and
2. the above-styled cause of action be and the same is hereby DISMISSED in accordance with the provisions of 28 U.S.C. § 2244(b)(3)(A) as Petitioner has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing this court to consider a successive habeas application.

DONE this 27<sup>th</sup> day of December, 2005.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE